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# Lesbian Wins a Point In Case Against CIA

*By William Carlsen*

A lesbian who claims the CIA denied her security clearance because of her sexuality got court permission Wednesday to continue with her lawsuit.

U.S. District Judge Eugene Lynch denied a motion by the government to dismiss the suit on the grounds that security clearances are an executive branch matter outside the authority of the courts.

"(The Constitution) does make the president the commander in chief of the military, and it also gives him power to make treaties and appoint ambassadors. But that is hardly a grant to the CIA of unfettered discretion to ignore the civil rights of United States citizens," Lynch said in his decision yesterday.

Julle Dubbs, a technical illustrator, sued the CIA in July, contending that the agency has an across-the-board policy of refusing

security clearances to homosexuals.

The 39-year-old woman, who works for SRI International in Menlo Park, claims that denial of a CIA security clearance prevents her from getting more lucrative jobs.

In a letter she received from the CIA dated 1981, the agency said Dubbs' homosexual activity "raises serious doubts about your reliability and your susceptibility to compromise by a hostile intelligence service."

"Certain hostile intelligence services regard homosexual behavior as a vulnerability which can be used to their advantage," the letter said.

Dubbs claims that the agency's reasoning does not apply in her case because she is openly gay and therefore not susceptible to blackmail. She has asked the court to declare the CIA policy on gays unconstitutional and to order that her security application be reconsidered.